

AMENDED IN SENATE JULY 5, 2007

AMENDED IN ASSEMBLY APRIL 12, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

## ASSEMBLY BILL

**No. 1014**

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**Introduced by Assembly Member Bass**

February 22, 2007

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An act to amend Section 17071.75 of the Education Code, relating to school facilities.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1014, as amended, Bass. School facilities.

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding and supplemental funding for site development and acquisition. The act provides that a school district's ongoing eligibility for new construction funding is determined by making calculations related to certain factors, including enrollment projections. The act requires school districts to calculate enrollment projections for the 5th year beyond the fiscal year in which the application is made by utilizing the cohort survival enrollment projection system, as defined and approved by the board.

This bill would authorize school districts to submit an alternative enrollment projection for either a 5th year or 10th year beyond the fiscal year in which the application is made by utilizing an alternative enrollment projection system other than the cohort survival *enrollment projection* system. The Office of Public School Construction would be required to review the alternative enrollment projection and submit the

request to the board for approval. A school district that bases its enrollment projection calculation on a high school attendance area would be authorized to use residency data to calculate enrollment.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17071.75 of the Education Code is  
2 amended to read:

3 17071.75. After a one-time initial report of existing school  
4 building capacity has been completed, the ongoing eligibility of a  
5 school district for new construction funding shall be determined  
6 by making all of the following calculations:

7 (a) A school district that applies to receive funding for new  
8 construction shall use the following methods to determine projected  
9 enrollment:

10 (1) A school district that has two or more schoolsites each with  
11 a pupil population density that is greater than 115 pupils per acre  
12 in kindergarten and grades 1 to 6, inclusive, or a schoolsite pupil  
13 population density that is greater than 90 pupils per acre in grades  
14 7 to 12, inclusive, as determined by the Superintendent using  
15 enrollment data from the California Basic Educational Data System  
16 for the 2004–05 school year, may submit an application for funding  
17 for projects that will relieve overcrowded conditions. That school  
18 district may also submit an alternative enrollment projection for  
19 the fifth year beyond the fiscal year in which the application is  
20 made using a methodology other than the cohort survival  
21 *enrollment projection* method as defined by the board pursuant to  
22 paragraph (2), to be reviewed by the Demographic Research Unit  
23 of the Department of Finance, in consultation with the department  
24 and the Office of Public School Construction. If the Office of  
25 Public School Construction and the Demographic Research Unit  
26 of the Department of Finance jointly determine that the alternative  
27 enrollment projection provides a reasonable estimate of expected  
28 enrollment demand, a recommendation shall be forwarded to the  
29 board to approve or disapprove the application, in accordance with  
30 all of the following:

31 (A) Total funding for new construction projects using this  
32 method shall be limited to five hundred million dollars

1 (\$500,000,000), from the Kindergarten-University Public Education  
2 Facilities Bond Act of 2004.

3 (B) The eligibility amount for proposed projects that relieve  
4 overcrowding is the difference between the alternative enrollment  
5 projection method for the year the application is submitted and the  
6 cohort survival *enrollment projection* method, as defined by  
7 paragraph (2), for the same year, adjusted by the existing pupil  
8 capacity in excess of the projected enrollment according to the  
9 cohort survival *enrollment* projection method.

10 (C) The Office of Public School Construction shall determine  
11 whether each proposed project will relieve overcrowding,  
12 including, but not limited to, the elimination of the use of Concept  
13 6 calendars, four track year-round calendars, or busing in excess  
14 of 40 minutes, and recommend approval to the board. The number  
15 of unhoused pupil grants requested in the application for funding  
16 from the eligibility determined pursuant to this paragraph shall be  
17 limited to the number of seats necessary to relieve overcrowding,  
18 including, but not limited to, the elimination of the use of Concept  
19 6 calendars, four track year-round calendars, or busing in excess  
20 of 40 minutes, less the number of unhoused pupil grants attributed  
21 to that school as a source school in an approved application  
22 pursuant to Section 17078.24.

23 (D) A school district shall use the same alternative enrollment  
24 projection methodology for all applications submitted pursuant to  
25 this paragraph and shall calculate those projections in accordance  
26 with the same districtwide or high school attendance area used for  
27 the enrollment projection made pursuant to paragraph (2).

28 (2) A school district shall calculate enrollment projections for  
29 the fifth year beyond the fiscal year in which the application is  
30 made. Projected enrollment shall be determined by utilizing the  
31 cohort survival enrollment projection system, as defined and  
32 approved by the board. The board may supplement the cohort  
33 survival enrollment projection by the number of unhoused pupils  
34 that are anticipated as a result of dwelling units proposed pursuant  
35 to approved and valid tentative subdivision maps.

36 (3) (A) A school district may submit an alternative enrollment  
37 projection for either a 5th year or a 10th year beyond the fiscal  
38 year in which the application is made utilizing an alternative  
39 enrollment projection system other than the cohort survival  
40 enrollment projection system described in paragraph (2). *The*

1 *alternative enrollment projection system may include any*  
2 *combination of the following:*

- 3 (i) *Forward weighting of the base years.*
- 4 (ii) *Reverse weighting of the base years.*
- 5 (iii) *No weighting of the base years.*
- 6 (iv) *Two, three, four, or five base years.*
- 7 (v) *Percentage progression ratios using the average of the sum*  
8 *of the base years.*
- 9 (vi) *An adjustment to reflect the effects of changes in birth rates*  
10 *within the school district for kindergarten and grade 1.*
- 11 (vii) *An adjustment to reflect the effects of future increased*  
12 *housing within the school district or high school attendance*  
13 *area.*~~The~~

14 (B) *The Office of Public School Construction shall review the*  
15 *alternative enrollment projection submitted pursuant to this*  
16 *paragraph and submit the request to the board for approval. A*  
17 *school district that bases its enrollment projection calculation on*  
18 *a high school attendance area may use residency data to calculate*  
19 *enrollment.*

20 (b) (1) *Add the number of pupils that may be adequately housed*  
21 *in the existing school building capacity of the applicant school*  
22 *district as determined pursuant to Article 2 (commencing with*  
23 *Section 17071.10) to the number of pupils for whom facilities were*  
24 *provided from any state or local funding source after the existing*  
25 *school building capacity was determined pursuant to Article 2*  
26 *(commencing with Section 17071.10). For this purpose, the total*  
27 *number of pupils for whom facilities were provided shall be*  
28 *determined using the pupil loading formula set forth in Section*  
29 *17071.25.*

30 (2) *Subtract from the number of pupils calculated in paragraph*  
31 *(1) the number of pupils that were housed in facilities to which*  
32 *the school district or county office of education relinquished title*  
33 *as the result of a transfer of a special education program between*  
34 *a school district and a county office of education or special*  
35 *education local plan area, if applicable. For this purpose, the total*  
36 *number of pupils that were housed in the facilities to which title*  
37 *was relinquished shall be determined using the pupil loading*  
38 *formula adopted by the board pursuant to subparagraph (B) of*  
39 *paragraph (2) of subdivision (a) of Section 17071.25. For purposes*

1 of this paragraph, title also includes any lease interest with a  
2 duration of greater than five years.

3 (c) Subtract the number of pupils pursuant to subdivision (b)  
4 from the number of pupils determined pursuant to paragraph (2)  
5 of subdivision (a).

6 (d) The calculations required to establish eligibility under this  
7 article shall result in a distinction between the number of existing  
8 unhoused pupils and the number of projected unhoused pupils.

9 (e) Apply the increase or decrease resulting from the difference  
10 between the most recent report made pursuant to Section 42268,  
11 and the report used in determining the baseline capacity of the  
12 school district pursuant to subdivision (a) of Section 17071.25.

13 (f) For purposes of calculating projected enrollment pursuant  
14 to subdivision (a), the board may adopt regulations to ensure that  
15 the enrollment calculation of individuals with exceptional needs  
16 receiving special education services is adjusted in the enrollment  
17 reporting period in which the transfer occurs and three previous  
18 school years as a result of a transfer of a special education program  
19 between a school district and a county office of education or a  
20 special education local plan area. However, the projected  
21 enrollment calculation of a county office of education shall only  
22 be adjusted if a transfer of title for the special education program  
23 facilities has occurred. The regulations, if adopted, shall ensure  
24 that if a transfer of title to special education program facilities  
25 constructed with state funds occurs within 10 years after initial  
26 occupancy of the facility, the receiving school district or school  
27 districts shall remit to the state a proportionate share of any  
28 financial hardship assistance provided for the project pursuant to  
29 Section 17075.10, if applicable.

30 (g) For a school district with an enrollment of ~~2,500~~, 2,500 or  
31 less, an adjustment in enrollment projections shall not result in a  
32 loss of ongoing eligibility to that school district for a period of  
33 three years from the date of the approval of eligibility by the board.